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IN THE UNITED DISTRICT COURT
DISTRICT OF OREGON
PENDLETON DIVISION

OREGON FIREARMS FEDERATION,)	No. 2:22-cv-01815-IM
INC., et al.,)	3:22-cv-01859-IM
)	3:22-cv-01862-IM
Plaintiffs,)	3:22-cv-01869-IM
)	
v.)	
)	
TINA KOTEK, et al.,)	
)	
Defendants.)	
)	
and)	
)	
OREGON ALLIANCE FOR GUN SAFETY,)	
)	
Intervenor-Defendant.)	
)	
Caption continues....)	

VIDEOCONFERENCE DEPOSITION
OF
MACKENZIE R. COOK, M.D.

8:38 a.m.

(All participants appeared via videoconference.)

DATE TAKEN: April 4, 2023
REPORTED BY: CRYSTAL R. McAULIFFE, RPR, CCR 2121,
Oregon No. 22-0002

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1 Caption continued...)
2 MARK FITZ, et al.,)
3 Plaintiffs,)
4 v.)
5 ELLEN F. ROSENBLUM, et al.,)
6 Defendants.)
7)
8 KATERINA B. EYRE, et al.,)
9 Plaintiffs,)
10 v.)
11 ELLEN F. ROSENBLUM, et al.,)
12 Defendants.)
13)
14 DANIEL AZZOPARDI, et al.,)
15 Plaintiffs,)
16 v.)
17 ELLEN F. ROSENBLUM, et al.,)
18 Defendants.)
19)
20)
21)
22)
23)
24)
25)

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A P P E A R A N C E S

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2 EXAMINATION INDEX

3 April 4, 2023

4 EXAMINATION BY PAGE

5 Mr. Nichols 5

6 Mr. Pekelis 66

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9 EXHIBITS FOR IDENTIFICATION PAGE

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11 Response to Plaintiffs' Motions for Preliminary Injunction (22 pages) 7

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14 71 changes in patterns of mortality rates and years of lost life due to firearms in the
15 United States, 1999 to 2016: A joinpoint analysis (18 pages) 3016 72 assessment of Case Fatality Rates and Overall Prevalence of Firearm Violence in
17 California, 2005 to 2019 (6 pages) 3018 73 Shooting Incident Statistics, January 2020 to February 2023 (1 page) 31
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1 over two decades may now permit new analyses and a new
2 understanding of previously unreported long-term trends
3 and changes in firearm hospitalization.

4 "We broadly know that national firearm
5 hospitalization rates per one hundred thousand
6 hospitalizations declined after the year 2000 and there
7 has been little change in assault-related firearm
8 hospitalizations in that same time period."

9 Did I read that right?

10 A. That's correct.

11 Q. So from 2000, the time period they're talking
12 about, there was -- there were fewer hospitalizations
13 due to firearm injuries; am I reading that correctly?

14 A. That's what -- that's what their paper says.
15 And it was published at the end of 2017.

16 Q. So this paper is saying from 2000 to 2017, the
17 number of firearm-related hospitalizations declined; is
18 that correct?

19 A. That's what they're stating there.

20 Q. Do you have any reason to disagree with that?

21 A. Not in particular, no.

22 Q. Do you have any opinions as to why that
23 hospitalization -- number of hospitalizations declined?

24 Did we lose the doctor? Sorry.

25 A. My screen blinked for a second. Yeah.

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1 Q. Okay. Let's try that again.

2 Dr. Cook, can you hear me okay?

3 A. I can, yeah.

4 Q. So do you have any opinions as to why
5 hospitalizations due to firearm injuries from 2000 to
6 2017 declined?

7 A. I do, based upon the findings of that paper.
8 That's consistent with my own clinical practice.

9 Q. And what are those opinions?

10 A. We are letting people go home or -- let me
11 rephrase that.

12 We are treating gunshot wounds on an outpatient
13 basis that previously would have required inpatient
14 hospitalization.

15 And so -- yeah. So people who would have gotten
16 admitted are going home to get managed in the outpatient
17 setting.

18 Q. And so in the conclusions in Exhibit 70, on the
19 first page, it says, "The severity of hospitalized
20 firearm injuries increased significantly from 1993 to
21 2014."

22 Do you see that?

23 A. That's correct. Yeah.

24 Q. And it says, "This annual increase reflects a
25 move toward hospitalization of more serious injuries and

1 outpatient management of less serious injuries across
2 the board."

3 Did I read that right?

4 A. Yes.

5 Q. So fewer hospitalizations, but the severity of
6 those hospitalized increased during that period; am I
7 reading that right?

8 A. I don't remember if they make a comment as to
9 the number of hospitalizations, but the severity is
10 definitely higher.

11 Q. Right. And we looked at the number of
12 hospitalizations at least from 2000 on was lower;
13 correct?

14 A. Correct.

15 Q. So during that period, then, you had fewer
16 hospitalizations, but hospitalizations of more serious
17 injuries?

18 A. Yes, we did.

19 Q. And so how does this study, Exhibit 70, support
20 your opinions in this case?

21 A. This study is saying, while the number of people
22 admitted to a hospital with a gunshot wound is stable,
23 what we are seeing is, actually, most -- more people
24 being shot in a worse way.

25 The -- as an example, in the past, there were

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1 Would you agree with that?

2 A. I would agree, yes.

3 Q. And going back over to Exhibit 71, is that true
4 as well?

5 One I see is -- and statistics?

6 A. Yes. Looks like epidemiology and statistics and
7 Department of Medicine.

8 Q. If you go to page 2 of Exhibit 71, starting with
9 the second sentence, it says, while -- under
10 "introduction," I should say.

11 Under "Introduction," second sentence, "While
12 national trends and firearm deaths have remained steady
13 from 1999 to 2014, at around 10.2 per hundred thousand
14 persons, data from 2015" onward show -- onwards show
15 increases in the numbers and rates of both fatal and
16 nonfatal firearm related injuries."

17 Did I read that right?

18 A. Sorry. Yes, you did.

19 Q. So in other words, from 1999 to 2014, firearm
20 deaths remained about steady and that after 2015 there
21 was an increase in the number and rate of fatal and
22 nonfatal injuries from firearms; correct?

23 A. That's what they say here, yeah.

24 Q. And does that comport with your experience?

25 A. It does, with a caveat that I -- I was not

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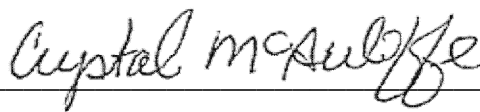
C E R T I F I C A T E

STATE OF WASHINGTON)
) ss.
 COUNTY OF KITSAP)

I, CRYSTAL R. McAULIFFE, a Certified Court Reporter in and for the State of Washington, do hereby certify that the foregoing transcript of the videoconference deposition of MACKENZIE R. COOK, M.D., having been duly sworn on APRIL 4, 2023, is true and accurate to the best of my knowledge, skill and ability.

Reading and signing was requested pursuant to FRCP Rule 30(e).

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 13th day of April, 2023.




CRYSTAL R. McAULIFFE, RPR, CCR 2121
 Oregon No. 22-0002